



Senate

General Assembly

File No. 484

January Session, 2001

Substitute Senate Bill No. 1424

Senate, April 26, 2001

The Committee on Government Administration and Elections reported through SEN. FONFARA of the 1st Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT ESTABLISHING A COMMISSION ON STATE FACILITY MAINTENANCE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (a) There shall be a State Commission on Facility
- 2 Maintenance to consist of members to be appointed as follows: Two
- 3 members shall be appointed by the Governor, two by the speaker of
- 4 the House of Representatives, two by the president pro tempore of the
- 5 Senate, one by the minority leader of the House of Representatives,
- 6 one by the minority leader of the Senate, two members of the Joint
- 7 Committee on Legislative Management, one appointed by each of the
- 8 chairpersons of said committee and one member of the Connecticut
- 9 Historical Commission appointed by its chairperson. Each appointee
- 10 shall have expertise concerning building maintenance or facilities
- 11 management. The Commissioner of Public Works shall be an ex-officio
- 12 member of the commission and shall attend the commission's
- 13 meetings. Vacancies on the commission shall be filled by the original

14 appointing authority for the unexpired portion of the term. The
15 members shall serve without compensation for their services but shall
16 be reimbursed for their actual and necessary expenses incurred in the
17 performance of their duties. The commission shall meet at least
18 quarterly, and more often on the call of the chairperson or on the
19 written request of a majority of the members. The commission may
20 designate subcommittees to carry out its functions. Any member who
21 fails to attend three consecutive meetings or fails to attend fifty per
22 cent of all meetings held during any calendar year shall be deemed to
23 have resigned.

24 (b) Not later than January 1, 2004, and biennially thereafter, each
25 state agency or department except the Legislative Department shall
26 submit a maintenance report to the commission. The maintenance
27 report shall indicate: (A) Whether the facility used by the agency or
28 department complies with the State Building Code adopted pursuant
29 to section 29-252 of the general statutes; (B) for a facility that does not
30 comply with the State Building Code, the repairs and maintenance
31 necessary to comply with the code and the cost of the repairs and
32 maintenance; and (C) for a facility that does comply with the State
33 Building Code, the maintenance necessary to ensure continued
34 compliance and the costs of such maintenance. Each state agency or
35 department may consult with such persons as necessary to complete
36 the maintenance report. As used in this section "facility" means
37 buildings and real property owned or leased by the state.

38 (c) The commission shall review each report submitted pursuant to
39 subsection (b) of this section. Not later than September 1, 2004, and
40 biennially thereafter, the commission shall submit its
41 recommendations to: (1) The Governor; (2) the Secretary of the Office
42 of Policy and Management; and (3) the joint standing committees of
43 the General Assembly having cognizance of matters relating to
44 appropriations, finance and government administration. The
45 recommendations shall (A) include a list of each facility and for each

46 facility shall indicate (i) whether the facility complies with the State
47 Building Code; (ii) for a facility that does not comply with the State
48 Building Code, the repairs and maintenance necessary to comply with
49 the code and the cost of the repairs and maintenance; and (iii) for a
50 facility that does comply with the State Building Code, the
51 maintenance necessary to ensure continued compliance and the costs
52 of such maintenance; and (B) include the commission's suggestions for
53 state facility repair and maintenance.

54 (d) The commission may accept gifts, donations and grants from the
55 federal government or other public or private sources for the purpose
56 of such facility maintenance.

57 (e) The commission shall be an independent body within the
58 Legislative Department for administrative purposes only.

59 Sec. 2. Section 4-72 of the general statutes is repealed and the
60 following is substituted in lieu thereof:

61 Part I of the budget document shall consist of the Governor's budget
62 message in which [he] the Governor shall set forth as follows: (1) [His]
63 A program for meeting all the expenditure needs of the government
64 for each fiscal year of the biennium to which the budget relates,
65 indicating the classes of funds, general or special, from which such
66 appropriations are to be made and the means through which such
67 expenditure shall be financed; (2) financial statements giving in
68 summary form: (A) The financial position of all major state operating
69 funds including revolving funds at the end of the last-completed fiscal
70 year in a form consistent with accepted accounting practice. [He] The
71 Governor shall also set forth in similar form the estimated position of
72 each such fund at the end of the year in progress and the estimated
73 position of each such fund at the end of each fiscal year of the
74 biennium to which the budget relates if [his] the Governor's proposals
75 are put into effect; (B) a statement showing as of the close of the last-

76 completed fiscal year, a year by year summary of all outstanding
77 general obligation and special tax obligation debt of the state and a
78 statement showing the yearly interest requirements on such
79 outstanding debt; (C) a summary of appropriations recommended for
80 each fiscal year of the biennium to which the budget relates for each
81 budgeted agency and for the state as a whole in comparison with
82 actual expenditures of the last-completed fiscal year and
83 appropriations and estimated expenditures for the year in progress;
84 (D) for the biennium commencing July 1, 1999, and each biennium
85 thereafter, a summary of estimated expenditures for certain fringe
86 benefits for each fiscal year of the biennium to which the budget
87 relates for each budgeted agency; (E) a summary of permanent full-
88 time positions setting forth the number filled and the number vacant
89 as of the end of the last-completed fiscal year, the total number
90 intended to be funded by appropriations without reduction for
91 turnover for the fiscal year in progress, the total number requested and
92 the total number recommended for each fiscal year of the biennium to
93 which the budget relates; (F) a summary of the revenue estimated to be
94 received by the state during each fiscal year of the biennium to which
95 the budget relates classified according to sources in comparison with
96 the actual revenue received by the state during the last-completed
97 fiscal year and estimated revenue during the year in progress; (G) for
98 the biennium commencing July 1, 2005, and each biennium thereafter,
99 a summary of estimated expenditures for state facility maintenance for
100 the Department of Public Works, the Judicial Department and any
101 other agency or department having responsibility for facility
102 maintenance based on the reports submitted by the State Commission
103 on Facility Maintenance pursuant to section 1 of this act; and [(G)] (H)
104 such other financial statements, data and comments as in [his] the
105 Governor's opinion are necessary or desirable in order to make known
106 in all practicable detail the financial condition and operations of the
107 government and the effect that the budget as proposed [by him] will
108 have on such condition and operations. If the estimated revenue of the

109 state for the ensuing biennium as set forth in the budget on the basis of
110 existing statutes, plus the estimated unappropriated surplus at the
111 close of the year in progress available for expenditure in the ensuing
112 biennium, is less than the aggregate appropriations recommended for
113 the ensuing biennium as contained in the budget, the Governor shall
114 make recommendations to the General Assembly in respect to the
115 manner in which such deficit shall be met, whether by an increase in
116 the indebtedness of the state, by the imposition of new taxes, by
117 increased rates on existing taxes or otherwise. If the aggregate of such
118 estimated revenue plus such estimated unappropriated surplus is
119 greater than such recommended appropriations for the ensuing
120 biennium, [he] the Governor shall make such recommendations for the
121 use of such surplus for the reduction of indebtedness, for the reduction
122 in taxation or for other purposes as in [his] the Governor's opinion are
123 in the best interest of the public welfare.

Statement of Legislative Commissioners:

In section 1, "twelve members" was changed to "members" for internal consistency.

GAE *Joint Favorable Subst.-LCO*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Significant Cost, in excess of \$100,000, beginning FY 04, and Indeterminate Cost, beginning FY 02

Affected Agencies: Legislative Management, Department of Public Works, Various State Agencies

Municipal Impact: None

Explanation**State Impact:**

This bill results in significant additional costs to the state beginning in FY 04 and in indeterminate costs beginning in FY 02. The bill establishes a 12-member Commission on State Facility Maintenance. The primary function of the commission is to obtain information from state agencies on the cost of having state buildings meet the State Building Code and make recommendations on funding. The commission is an independent body within Legislative Management for administrative purposes only. The governor appoints 2 members, legislators appoint 9 members, and the commissioner of the Department of Public Works (DPW) is an ex-officio member.

Depending on the number of members of the General Assembly that are appointed to this commission, the Joint Committee on Legislative Management may incur a minimal cost. A total cost of less

than \$2,500 annually may result from mileage reimbursement to legislators in traveling to and from commission meetings. Legislators are currently reimbursed 30 cents per mile. Considering that legislators may be traveling to the Capitol on other legislative business, any additional cost due to an increased number of reimbursed trips could be handled within the anticipated budgetary resources of the department. Commission members will not receive compensation but will be reimbursed for their actual and necessary expenses incurred in the performance of their duties. This results in potential minimal cost to Legislative Management. The cost for providing administrative support to the commission cannot be determined at this time, but is not anticipated to be significant (less than \$100,000). The bill requires the commission to meet at least quarterly.

The bill requires each state agency to submit a maintenance report to the commission on its buildings by January 1, 2004, and every two years thereafter. The report must indicate (1) if the facility complies with the State Building Code and (2) for a facility that does not meet the code, the cost of repairs to comply with the code and the ongoing maintenance costs to ensure continued compliance. Each state agency is authorized to consult with such persons as necessary to complete the maintenance report.

There are over 3,000 state buildings, which are under the care and control of 36 state agencies. The agencies with the most buildings include the University of Connecticut, the Department of Mental Retardation (DMR), DPW, the Department of Correction, the Judicial Department, State University, the Department of Transportation and the Department of Public Safety. DMR alone is responsible for 376 buildings. Each of the 36 agencies would have to provide reports to the commission. This would require significant effort by existing staff, and some agencies would have to utilize consultants to inspect their facilities and develop cost estimates. Costs to these agencies could be significant, in excess of \$100,000. Actual costs will depend on the level

of detail of the reports, which will be determined by the commission. It is also anticipated that DPW will be providing significant technical support to the commission and to individual state agencies, which will result in significant costs.

The definitive number of state buildings is not known at this time. A November 1999 study by the State Auditors reported that the state has three centralized land and building inventories, but that none of these could be considered complete, comprehensive, up-to-date, or accurate. The Office of Policy and Management (OPM), DPW, and the Office of the State Comptroller are currently working towards the development of one comprehensive inventory.

The commission is required to report to the governor, OPM and the general assembly by September 1, 2004, and every two years thereafter. Their report must indicate (1) a listing of all state facilities providing the information on code compliance and costs which they have received from state agencies and (2) suggestions for state facility repair and maintenance. It requires the governor's budget presented in February 2005, and every two years thereafter, to include a summary of the estimated expenditures for state facility maintenance by all of the state agencies that are responsible for the care and control of state buildings. This is anticipated to result in minimal costs to OPM that can be absorbed within existing resources.

OLR Bill Analysis

sSB 1424

AN ACT ESTABLISHING A COMMISSION ON STATE FACILITY MAINTENANCE.**SUMMARY:**

This bill establishes a 12-member State Commission on Facility Maintenance as an independent agency within the Legislative Department. The commission must (1) review biennial state agency reports on facility Building Code compliance and maintenance and (2) make recommendations regarding repairs and maintenance.

For the biennium beginning July 1, 2005, the bill also requires the governor to include in Part I of his proposed budget as part of the financial statements a summary of estimated expenditures for state facility maintenance for the Department of Public Works (DPW), the Judicial Department, and other agencies and departments with responsibility for facility maintenance. Each estimate is for the upcoming biennium and must be based on the report of the State Commission on Facility Maintenance.

EFFECTIVE DATE: October 1, 2001

COMMISSION MEMBERSHIP

The following officials appoint the number of commission members indicated and fill any vacancies:

1. the governor (two),
2. the speaker of the House of Representatives and the Senate president pro tempore (two each),
3. the minority leaders of the House and Senate (one each),
4. the chairmen of the Joint Committee on Legislative Management

(one Legislative Management Committee member appointed by each),

5. the chairman of the Connecticut Historical Commission (one of the commission members).

Appointees must be experienced in matters concerning building maintenance or facility management.

The DPW commissioner is an ex-officio member who is required to attend meetings. The commission must meet at least quarterly, at the call of the chairman, or on the written request of a majority of the members. A member who misses three consecutive meetings or one-half the meetings in a year is considered to have resigned.

Members serve without compensation, but are entitled to reimbursement for their actual and necessary expenses.

COMMISSION DUTIES

By January 1, 2004, and biennially thereafter, each state agency and department, except the Legislative Department, must submit a maintenance report to the commission. Each agency must (1) report on whether each facility it uses complies with the State Building Code and (2) describe the maintenance, repairs, and costs necessary to ensure continued compliance or bring it into compliance, depending on a facility's condition. A "facility" means any building or real property that the state owns or leases.

The commission must review all the agency and department reports by September 1 each biennium, beginning in 2004. It must make recommendations to the governor, the secretary of the Office of Policy and Management, and the Government Administration and Elections; Finance, Revenue and Bonding; and Appropriations committees. The commission's report must include (1) each facility with an indication of its code compliance status and the costs for maintenance, repairs, and achieving or maintaining code compliance and (2) suggestions for state facility repair and maintenance.

The commission, located in the Legislative Department for

administrative purposes only, is authorized to accept gifts, donations, and grants for state facility maintenance. It can form subcommittees to carry out its functions.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Report

Yea 13 Nay 7